

**ENTERED ON DOCKET**UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF PUERTO RICOELAINE L. CHAO, Secretary of Labor,  
United States Department of Labor

Plaintiff,

v.

HOGAR PRADERAS DE AMOR, INC., A Corporation,  
and CARMEN E. DIAZ ALVERIO, Individually  
and as President

Defendants

**Civil Action**File No.  
98-1342 (HL)**AMENDED****JUDGMENT**

JUDGMENT  
RECEIVED  
U.S. DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO  
JULY 25 2001  
CLERK'S OFFICE  
U.S. DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

Based on plaintiff's motion to settle this Court's January 25, 2001 Judgment and the computations contained in said motion, this Court finds that minimum wage, overtime compensation, liquidated damages, and pre-judgment interest is due certain of defendants employees in the following gross amounts:

1. An amount compensating each Hogar employee an amount that would bring that employee's wages up to the applicable minimum wage. Interest on the amount for each employee shall be assessed at the rate of 5.45%, to accrue from January 1, 1997 to January 25, 2001:

Minimum Wage deficiency	\$ 38,816.25
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Pre-judgment interest @ 5.45%	\$ 8,461.97
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2. An amount compensating any Hogar's nurse's aide, maintenance/laundry worker, and kitchen worker who started working between July 15, 1994 and July 20, 1999, for 14 hours of uncompensated work which Defendants had designated as "training". Liquidated damages shall also

(3)

(61)

be assessed in an amount equal to the amount of this unpaid time.

Minimum Wage deficiency \$5,691.70

Liquidated Damages \$5,691.70

3. An amount compensating any Hogar's nurse's aide, maintenance/laundry worker, and kitchen worker for underpaid overtime. For each month worked between July 15, 1994 and July 20, 1999, each worker shall receive two hours of pay at half that worker's regular rate of pay. Liquidated damages shall also be assessed in an amount equal to this underpaid time.

Overtime Pay deficiency \$4,501.50

Liquidated Damages \$4,501.50

4. An amount compensating any Hogar's nurse's aide or maintenance worker who worked the 7:00 a.m. to 3:00 p.m. shift from July 15, 1994 to February 20, 1999. For each day worked, the worker shall be entitled to an additional half hour's worth of wages. Liquidated damages shall also be assessed in an amount equal to this unpaid time.

Deficiency \$15,700.74

Liquidated Damages \$15,700.74

It is:

**I. ORDERED, ADJUDGED, and DECREED** that the defendants, HOGAR PRADERAS DE AMOR, INC., a corporation, and CARMEN E. DIAZ ALVERIO,

individually and as president, their officers, agents, servants, employees, and all persons acting or claiming to act in their behalf and interest be, and hereby are, enjoined and restrained from withholding the payment of \$64,709.59 due and owing to their employees in unpaid minimum wage and overtime compensation and \$8,461.97 in pre-judgment interest. Additionally, pursuant to Section 16(c) of the Act, the Defendants shall pay the sum of \$25,893.94 in liquidated damages. Defendants' total liability is \$99,065.50.

The provisions of this order relative to the payment of backwages, pre-judgment interest and liquidated damages shall be deemed satisfied when defendants deliver to the Bank of America, U.S. Department of Labor, ESA, Wage and Hour Division, P.O. Box 845229 Dallas, TX 75284-5229 a certified check or bank check or money order for the gross amount of \$99,065.50 made payable to "Wage & Hour, Labor". Said payment shall be delivered no later thirty (30) days from the entry of this Amended Judgment.

Defendants shall make available to plaintiff the social security number and last known address of each employee or former employee listed in Exhibit A of this judgment. The Secretary shall distribute the proceeds of such checks to the employees involved, or to their estates, if that is necessary.

**II.** Neither defendants nor any one on their behalf shall directly or indirectly solicit or accept the return or refusal of any sums paid as backwages, pre-judgement interest and liquidated damages under this Judgment. Any sums which cannot be distributed to the employees named herein, or to their personal representatives

because of inability to locate the proper persons or because of such persons' refusal to accept such sums, shall be deposited with the Clerk of this Court who shall forthwith deposit such money with the Treasurer of the United States pursuant to 28 U.S.C. §§2041 and 2042.

**III. IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that neither the commencement of this action nor the provisions of this Amended Judgment shall in any way affect, determine, or prejudice any and all legal rights of any employees of defendants not listed in Exhibit A, be they current or former employees, to file any action against defendants under section 16(b) of the Act or likewise for any current or former employee to file any action against defendants under section 16(b) of the Act for any violations alleged to have occurred after July 20, 1999.

DATED: August 9, 2001  
Hato Rey, Puerto Rico

  
HONORABLE ~~HECTOR~~ M. LAFFITTE  
CHIEF UNITED STATES DISTRICT JUDGE

EMPLOYEE	BEG DT	END DT	NO. WKS	PR MW	MW INT	PROT	PRO TL.D	UNPD TRNG	LD TRNG	MEALS	MEAL LD	JDGMT OT	JDGMT LD	TOTAL	
Alvarez Figueroa, Martha	07/15/94	07/31/99	264.14	\$ 1,155.20	\$ 251.83				\$ 72.10	\$ 72.10	\$ 1,115.22	\$ 1,115.22	\$ 79.60	\$ 79.60	\$ 3,796.68
Alvarez Santiago, Wanda I.	01/10/98	09/26/98	38.00							\$ 160.44	\$ 160.44	\$ 11.45	\$ 11.45	\$ 487.98	
Alvarez, Cecilia	07/15/94	07/31/94	3.29	\$ 65.70	\$ 14.32					\$ 13.87	\$ 13.87	\$ 0.99	\$ 0.99	\$ 109.75	
Ayala, Ivonne	09/30/94	09/30/94	1.00	\$ 14.40	\$ 3.14					\$ 4.22	\$ 4.22	\$ 0.30	\$ 0.30	\$ 145.39	
Ayuso, Lizbeth	12/22/94	02/11/95	8.29	\$ 531.00	\$ 115.76	\$ 42.50	\$ 42.50	\$ 59.50	\$ 59.50	\$ 34.98	\$ 34.98	\$ 2.50	\$ 2.50	\$ 925.72	
Aza, Ana	07/09/94	07/16/94	2.00	\$ 60.30	\$ 13.15					\$ 8.44	\$ 8.44	\$ 0.60	\$ 0.60	\$ 91.54	
Belen Morales, Maria E.	02/10/96	04/25/98	116.00	\$ 1,414.95	\$ 308.46	\$ 44.13	\$ 44.13	\$ 59.50	\$ 59.50	\$ 489.76	\$ 489.76	\$ 34.96	\$ 34.96	\$ 2,980.11	
Benitez Medina, Gwendaliz	09/07/96	09/07/96	1.00							\$ 59.50	\$ 59.50	\$ 0.30	\$ 0.30	\$ 128.05	
Bodelo Pascual, Maria	09/13/97	07/18/98	45.00							\$ 72.10	\$ 72.10	\$ 13.56	\$ 13.56	\$ 551.31	
Bonilla Garcia, Evelyn	12/28/96	09/06/97	37.00							\$ 66.50	\$ 66.50	\$ 11.15	\$ 11.15	\$ 543.97	
Carmona Llanos, Maril	10/17/98	07/31/99	42.00							\$ 72.10	\$ 72.10	\$ 12.66	\$ 12.66	\$ 534.47	
Carrasquillo, Elsa	01/13/96	01/13/96	1.00							\$ 59.50	\$ 59.50	\$ 0.30	\$ 0.30	\$ 128.05	
Cepeda Cruz, Clara N.	07/28/95	07/28/95	1.00	\$ 28.80	\$ 6.28					\$ 59.50	\$ 59.50	\$ 0.30	\$ 0.30	\$ 163.13	
Cepeda Rivera, Idaly	01/23/99	02/27/99	6.00							\$ 72.10	\$ 72.10	\$ 1.81	\$ 1.81	\$ 208.78	
Cepeda, Noelia	01/27/96	03/19/96	8.43	\$ 162.87	\$ 35.51					\$ 59.50	\$ 59.50	\$ 2.54	\$ 2.54	\$ 393.63	
Clinton Figueroa, Maria B.	08/23/97	10/25/97	10.00							\$ 66.50	\$ 66.50	\$ 3.01	\$ 3.01	\$ 223.47	
Colon Marro, Indira	08/08/98	08/15/98	2.00							\$ 72.10	\$ 72.10	\$ 0.60	\$ 0.60	\$ 172.59	
Colon, Avenida	11/12/94	04/02/96	76.00	\$ 2,136.21	\$ 465.69	\$ 92.01	\$ 92.01	\$ 59.50	\$ 59.50	\$ 320.88	\$ 320.88	\$ 22.90	\$ 22.90	\$ 3,592.48	
Cotto, Maria A.	09/13/98	09/30/94	1.00	\$ 21.60	\$ 4.71					\$ 59.50	\$ 59.50	\$ 0.30	\$ 0.30	\$ 154.36	
Cruz Urbina, Teresa	10/10/98	07/13/99	43.00							\$ 72.10	\$ 72.10	\$ 12.96	\$ 12.96	\$ 533.22	
De Jesus Morales, Jesus	09/12/96	01/11/97	17.00	\$ 155.25	\$ 33.84					\$ 59.50	\$ 59.50	\$ 5.12	\$ 5.12	\$ 461.89	
DeJesus Ortiz, Glorimar	09/14/94	09/14/94	1.00	\$ 22.93	\$ 5.00					\$ 59.50	\$ 59.50	\$ 0.30	\$ 0.30	\$ 155.98	
Dalgado Gil, Angelia	04/19/97	11/08/97	30.00							\$ 59.50	\$ 59.50	\$ 4.22	\$ 4.22	\$ 455.09	
Diaz Navarro, Mansol	09/21/96	09/21/96	1.71	\$ 30.25	\$ 6.59					\$ 59.50	\$ 59.50	\$ 0.52	\$ 0.52	\$ 171.35	
Diaz Pollock, Lucy	07/23/94	10/08/94	12.00	\$ 72.00	\$ 15.70					\$ 59.50	\$ 59.50	\$ 3.62	\$ 3.62	\$ 196.26	
Diaz Rivera, Ana	02/17/96	02/17/96	1.00	\$ 46.80	\$ 10.20					\$ 59.50	\$ 59.50	\$ 0.30	\$ 0.30	\$ 185.05	
Diaz, Dianis	11/15/95	11/15/95	1.00	\$ 19.80	\$ 4.32					\$ 59.50	\$ 59.50	\$ 0.30	\$ 0.30	\$ 152.17	
Escalera Cruz, Luz Nereida	08/22/98	09/19/98	5.00							\$ 72.10	\$ 72.10	\$ 1.51	\$ 1.51	\$ 189.43	
Fernandez Hidalgo, Zulema	03/23/96	03/30/96	2.00	\$ 66.60	\$ 14.52					\$ 59.50	\$ 59.50	\$ 0.60	\$ 0.60	\$ 218.21	
Freire Marrero, Angel L.	09/07/96	03/01/97	26.00	\$ 135.76	\$ 29.59					\$ 59.50	\$ 59.50	\$ 7.84	\$ 7.84	\$ 519.57	
Fuentes Fuentes, Benicia	07/15/95	07/15/95	1.00	\$ 28.80	\$ 6.28					\$ 59.50	\$ 59.50	\$ 0.30	\$ 0.30	\$ 163.13	
Gil, Gilma	07/31/96	08/17/96	3.43	\$ 29.70	\$ 6.47					\$ 59.50	\$ 59.50	\$ 1.03	\$ 1.03	\$ 186.19	
Gomez Febres, Yesenia	04/18/98	09/12/98	22.00							\$ 72.10	\$ 72.10	\$ 6.63	\$ 6.63	\$ 385.47	
Gonzalez Flores, Maria	06/20/98	08/08/98	6.00							\$ 72.10	\$ 72.10	\$ 2.41	\$ 2.41	\$ 216.58	
Gonzalez Gallidez, Maria	08/10/98	08/30/98	56.00							\$ 59.50	\$ 59.50	\$ 16.88	\$ 16.88	\$ 699.73	
Gonzalez, Carmen	01/07/95	03/04/95	9.00	\$ 320.40	\$ 69.85	\$ 37.05	\$ 37.05	\$ 59.50	\$ 59.50	\$ 236.44	\$ 236.44	\$ 2.71	\$ 2.71	\$ 253.67	
Gonzalez, Maria M.	03/25/95	07/20/96	70.00	\$ 580.87	\$ 126.63					\$ 59.50	\$ 59.50	\$ 21.09	\$ 21.09	\$ 1,459.78	
Hernandez Guadalupe, Luz M.	10/05/96	02/01/97	18.00							\$ 59.50	\$ 59.50	\$ 5.42	\$ 5.42	\$ 281.84	
Hernandez Ciquendo, Nilisa	07/29/95	05/11/96	42.00	\$ 121.16	\$ 26.41					\$ 59.50	\$ 59.50	\$ 12.66	\$ 12.66	\$ 646.54	
Hernandez, Luz C.	07/23/94	07/30/94	2.00	\$ 50.40	\$ 10.99					\$ 8.44	\$ 8.44	\$ 0.60	\$ 0.60	\$ 79.48	
Hidalgo Mota, Silverina	05/16/98	07/18/98	10.00							\$ 72.10	\$ 72.10	\$ 3.01	\$ 3.01	\$ 253.67	
Imizay De Leon, Nancy	10/30/95	11/15/95	3.29	\$ 18.67	\$ 4.07	\$ 9.50	\$ 9.50	\$ 59.50	\$ 59.50	\$ 13.87	\$ 13.87	\$ 0.99	\$ 0.99	\$ 171.47	

Exhibit A

Liberato Perez, Celia	07/23/94	01/27/96	80.00	\$ 2,665.86	\$ 581.16	\$ 756.50	\$ 756.50	\$ 337.77	\$ 337.77	\$ 24.11	\$ 24.11	\$ 5,483.77
Llanos Parilla, Berlina	09/17/94	07/19/97	149.00	\$ 2,164.12	\$ 471.78	\$ 372.00	\$ 372.00	\$ 629.09	\$ 629.09	\$ 44.90	\$ 44.90	\$ 4,846.89
Lopez Maldonado, Janet	10/17/98	07/31/99	42.00					177.33	\$ 177.33	\$ 12.66	\$ 12.66	\$ 524.17
Lopez Maldonado, Johana	07/18/98	12/19/98	23.00					97.11	\$ 97.11	\$ 6.93	\$ 6.93	\$ 362.58
Lopez, Carmen R.	10/31/95	10/31/95	1.00	\$ 50.40	\$ 10.99	\$ 5.15	\$ 5.15	72.10	\$ 72.10	\$ 0.30	\$ 0.30	\$ 189.44
Maldonado Gonzalez, Maria M.	08/16/97	11/29/97	16.00					59.50	\$ 59.50	\$ 4.22	\$ 4.22	\$ 4.82
Maldonado, Maria	02/26/95	02/28/95	1.00					66.50	\$ 66.50	\$ 67.55	\$ 67.55	\$ 277.75
Marquez, Elizabeth	02/03/96	03/16/96	7.00	\$ 73.80	\$ 16.09	\$ 4.22	\$ 4.22	59.50	\$ 59.50	\$ 0.30	\$ 0.30	\$ 128.05
Marquez, Rosa, Virginia	10/12/96	12/21/96	11.00	\$ 165.50	\$ 36.08	\$ 29.55	\$ 29.55	66.50	\$ 66.50	\$ 4.22	\$ 4.22	\$ 272.22
Medina Sanchez, Altamaria	07/09/94	07/31/99	16.00	\$ 1,024.80	\$ 223.41	\$ 11.88	\$ 11.88	59.50	\$ 59.50	\$ 46.44	\$ 46.44	\$ 3.31
Minelli, Luz	12/06/97	04/25/98	34.00	\$ 523.22	\$ 114.06	\$ 32.19	\$ 32.19	59.50	\$ 59.50	\$ 679.76	\$ 679.76	\$ 48.52
Miranda Figueroa, Iris M.	07/09/94	07/31/99	21.00	\$ 205.50	\$ 44.80	\$ 72.10	\$ 72.10	59.50	\$ 59.50	\$ 143.55	\$ 143.55	\$ 1,063.87
Mojica Solano, Isabel A.	01/20/96	07/31/99	265.00	\$ 1,790.47	\$ 390.32	\$ 813.79	\$ 813.79	59.50	\$ 59.50	\$ 1,118.85	\$ 1,118.85	\$ 55.75
Montanez Lopez, Maria	04/13/96	07/06/96	185.00	\$ 621.80	\$ 135.55	\$ 44.65	\$ 44.65	59.50	\$ 59.50	\$ 781.09	\$ 781.09	\$ 3.92
Morales Arzuaga, Sol M.	03/30/96	04/25/98	13.00	\$ 494.58	\$ 107.82	\$ 59.50	\$ 59.50	59.50	\$ 59.50	\$ 460.21	\$ 460.21	\$ 32.85
Mueller, Nilda	10/07/95	07/31/99	109.00	\$ 959.70	\$ 209.21	\$ 38.23	\$ 38.23	59.50	\$ 59.50	\$ 844.42	\$ 844.42	\$ 60.27
Muhammad-Yusuf Garcia, Halime	10/12/96	12/07/96	20.00	\$ 2,191.17	\$ 477.68	\$ 120.36	\$ 120.36	59.50	\$ 59.50	\$ 38.00	\$ 38.00	\$ 2.71
Nazario Figueroa, Ivette	01/04/97	04/26/97	9.00	\$ 55.00	\$ 11.99	\$ 66.50	\$ 66.50	66.50	\$ 66.50	\$ 71.78	\$ 71.78	\$ 2.71
Noriega Colon, Trinidad	07/09/94	08/26/95	17.00					66.50	\$ 66.50	\$ 5.12	\$ 5.12	\$ 286.80
Ocasio Pizarro, Zuleika	05/02/98	07/31/99	60.00	\$ 1,243.44	\$ 271.07	\$ 25.50	\$ 25.50	253.33	\$ 253.33	\$ 18.08	\$ 18.08	\$ 2,108.32
Olivero Leger, Maria	05/23/98	06/06/98	6.00					72.10	\$ 72.10	\$ 278.66	\$ 278.66	\$ 742.83
Orita Hidalgo, Nora	07/23/94	07/31/96	3.00					72.10	\$ 72.10	\$ 12.67	\$ 12.67	\$ 0.90
Ortiz Rossano, Carmen M.	01/10/98	10/03/98	104.00	\$ 2,722.90	\$ 583.59	\$ 10.63	\$ 10.63	439.10	\$ 439.10	\$ 31.34	\$ 31.34	\$ 171.34
Ortiz, Ramona	10/15/94	10/15/94	39.00	\$ 1,243.44	\$ 271.07	\$ 25.50	\$ 25.50	253.33	\$ 253.33	\$ 18.08	\$ 18.08	\$ 2,108.32
Pagan Rivera, Magdalena	02/14/98	08/18/98	32.00		\$ 7.20	\$ 1.57	\$ 0.77	72.10	\$ 72.10	\$ 278.66	\$ 278.66	\$ 742.83
Pastiran Sanchez, Maria D.	07/11/98	07/31/99	56.00					72.10	\$ 72.10	\$ 135.11	\$ 135.11	\$ 9.64
Perez Pastiana, Luis	09/24/94	05/13/95	34.00	\$ 319.50	\$ 69.65	\$ 72.10	\$ 72.10	439.10	\$ 439.10	\$ 236.44	\$ 236.44	\$ 171.34
Pizarro Hernandez, Maria	02/24/98	03/02/96	2.00	\$ 38.70	\$ 8.44	\$ 59.50	\$ 59.50	164.66	\$ 164.66	\$ 184.23	\$ 184.23	\$ 543.39
Quidley Resto, Liana	07/09/94	04/20/96	94.00	\$ 2,798.40	\$ 610.05	\$ 225.25	\$ 225.25	42.22	\$ 42.22	\$ 4.22	\$ 4.22	\$ 136.82
Quinonez Davila, Maria	07/15/95	07/15/95	1.00	\$ 28.80	\$ 6.28	\$ 10.30	\$ 10.30	72.10	\$ 72.10	\$ 236.44	\$ 236.44	\$ 16.88
Quinonez Mercado, Carmen	01/13/98	04/11/98	11.00					72.10	\$ 72.10	\$ 143.35	\$ 143.35	\$ 10.25
Ramos, Carmen E.	03/30/96	06/01/96	10.00	\$ 60.31	\$ 13.15	\$ 59.50	\$ 59.50	164.66	\$ 164.66	\$ 8.44	\$ 8.44	\$ 184.23
Rivera Merced, Carmen A.	03/18/95	06/29/96	68.00	\$ 1,248.28	\$ 272.13	\$ 38.25	\$ 38.25	396.88	\$ 396.88	\$ 28.33	\$ 28.33	\$ 4,709.36
Rivera Rivera, Isalia	07/25/98	08/08/98	3.00					72.10	\$ 72.10	\$ 12.67	\$ 12.67	\$ 163.13
Rivera Rodriguez, Callines	02/24/98	03/02/96	2.00	\$ 78.76	\$ 17.17	\$ 59.50	\$ 59.50	46.44	\$ 46.44	\$ 3.31	\$ 3.31	\$ 264.32
Rivera, Carmen M.	03/13/95	10/15/95	29.29	\$ 495.90	\$ 108.11	\$ 59.50	\$ 59.50	143.35	\$ 143.35	\$ 10.25	\$ 10.25	\$ 815.74
Rodriguez Fernandez, Rosa	10/22/94	01/27/95	14.86	\$ 422.60	\$ 92.13	\$ 2.13	\$ 2.13	8.44	\$ 8.44	\$ 0.60	\$ 0.60	\$ 184.23
Rodriguez Noriega, David	03/09/96	06/08/96	14.00					59.50	\$ 59.50	\$ 287.10	\$ 287.10	\$ 2,331.10
Rodriguez, Ana	10/10/98	10/10/98	1.00					72.10	\$ 72.10	\$ 12.67	\$ 12.67	\$ 171.34
Rodriguez, Ramonita	04/27/96	07/20/96	13.00					59.50	\$ 59.50	\$ 8.44	\$ 8.44	\$ 233.02
Rodriguez, Sulafka	10/31/95	10/31/95	1.00	\$ 7.20	\$ 1.57	\$ 59.50	\$ 59.50	8.44	\$ 8.44	\$ 3.92	\$ 3.92	\$ 236.61
Roman Diaz, Devanira	10/15/94	07/31/99	251.00	\$ 3,498.31	\$ 762.63	\$ 29.75	\$ 29.75	4.22	\$ 4.22	\$ 0.30	\$ 0.30	\$ 136.82
												\$ 4,320.44

